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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA -- WESTERN DIVISION

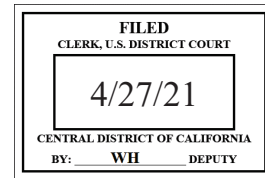
UNITED STATES OF AMERICA and  
STATE OF CALIFORNIA, *et al.*,  
*ex rel.* [UNDER SEAL],

Plaintiff[s],

v.

[UNDER SEAL],

Defendant[s].



No. CV 17-01391 PSG (KSx)

STIPULATION REGARDING PARTIAL  
UNSEALING OF CASE

**[FILED UNDER SEAL PURSUANT TO THE  
FALSE CLAIMS ACT, 31 U.S.C.  
§§ 3730(b) (2) AND (3)]**

[LODGED CONCURRENTLY UNDER SEAL:  
[PROPOSED] ORDER PARTIALLY  
UNSEALING CASE]

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17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA -- WESTERN DIVISION

19 UNITED STATES OF AMERICA and  
STATE OF CALIFORNIA, *et al.*,  
20 *ex rel.* THE SAM JONES  
COMPANY, LLC,

21 Plaintiffs,

22 v.

23 BIOTRONIK, INC.; CEDARS-SINAI  
24 MEDICAL CENTER; and DR.  
JEFFREY GOODMAN,

25 Defendants.  
26  
27  
28

No. CV 17-01391 PSG (KSx)

STIPULATION REGARDING PARTIAL  
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1           The United States and the State of California—on its own behalf  
2 and on behalf of the named Plaintiff States—having declined to  
3 intervene in this case, the United States, the State of California,  
4 and the *qui tam* plaintiff The Sam Jones Company, LLC (the “Relator”)  
5 stipulate that the Complaint, any Amended Complaint, the  
6 February 12, 2021 Notice of Declination, this Stipulation, and the  
7 accompanying proposed Order should be unsealed. The United States,  
8 the State of California, and the Relator further stipulate that all  
9 other papers filed or lodged to date in this action since the filing  
10 of the Complaint should remain permanently under seal because such  
11 papers were provided by law to the Court alone for the sole purpose  
12 of discussing the content and extent of the United States’  
13 investigation, and, thereby, evaluating whether the seal and time  
14 for making an election to intervene should be extended. All papers  
15 hereafter filed or lodged in this action should not be sealed.<sup>1</sup>

16           A proposed Order accompanies this Stipulation.

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23           <sup>1</sup> As noted in the Notice of Declination, the Maryland False  
24 Health Claims Act provides that “[i]f the State does not elect to  
25 intervene and proceed with the action . . . before unsealing the  
26 complaint, the court shall dismiss the action.” Md. Code Ann.,  
27 Health Gen, § 2-604(a)(7); see also *United States ex rel. Dan Abrams*  
28 *Co. LLC v. Medtronic, Inc.*, No. CV15-01212-JAK-(ASx), 2017 WL  
4023092, \*12 (C.D. Cal. Sept. 11, 2017) (unpublished). Accordingly,  
because the State of Maryland has declined to intervene, all claims  
asserted on behalf of the State of Maryland should be dismissed  
without prejudice.

1 DATED: April 20, 2021\_\_

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CHARLES E. CANTER, AUSA  
Attorneys for the United States  
of America

9 DATED: April 27, 2021

ERIKA HIRAMATSU  
Supervising Deputy Attorney General



DAVID ZLOTNICK  
Deputy Attorney General  
California Department of Justice  
Attorneys for the State of California

On behalf of the Plaintiff States

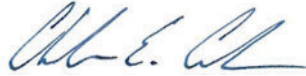
15 DATED:

THE LAW OFFICE OF MYCHAL WILSON

MYCHAL WILSON  
Attorneys for Relator

1 DATED: April 20, 2021\_\_

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5  
6 

CHARLES E. CANTER, AUSA  
Attorneys for the United States  
of America

8  
9 DATED: \_\_\_\_\_

ERIKA HIRAMATSU  
Supervising Deputy Attorney General

10  
11 \_\_\_\_\_  
12 DAVID ZLOTNICK  
13 Deputy Attorney General  
California Department of Justice  
Attorneys for the State of California

14 On behalf of the Plaintiff States

15 DATED: 4/27/2021

THE LAW OFFICE OF MYCHAL WILSON

16   
17 \_\_\_\_\_  
18 MYCHAL WILSON  
Attorneys for Relator

PROOF OF SERVICE BY E-MAIL

I am over the age of 18 and not a party to the above-captioned action. I am employed by the Office of United States Attorney, Central District of California. My business address is 300 North Los Angeles Street, Suite 7516, Los Angeles, California 90012.

On April 27, 2021, I served the STIPULATION REGARDING PARTIAL UNSEALING OF CASE on each person or entity named below by e-mail.

Date of e-mailing: April 27, 2021. Place of e-mailing: Los Angeles, California.

Person(s) and/or Entity(s) to whom e-mailed:

Mychal Wilson  
mw@mychalwilsonesq.com  
The Law Office of Mychal Wilson  
401 Wilshire Blvd., 12th Floor  
Santa Monica, CA 90401

David Zlotnick  
David.Zlotnick@doj.ca.gov  
Office of the Attorney General  
Bureau of Medi-Cal Fraud & Elder Abuse  
1455 Frazee Road, Suite 315  
San Diego, CA 92108

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 27, 2021, at Los Angeles, California.

  
\_\_\_\_\_  
CHARLES E. CANTER